

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

PAUL SMITH ET AL.

Serial No.: 10/522,360

Filed: January 26, 2005

For: APPARATUS FOR FORMING A HEAD ON A BEVERAGE

Attorney Docket No.: UDL 0169 PUSA

Group Art Unit: 2817

Examiner: Steven N. Leff

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The following is a response to the Restriction Requirement dated June 24, 2008 for the above patent application.

In the restriction requirement, the apparatus claims of Group I were stated to be 1-17 and 21-26, and the method claims of Group II were stated to be claims 14-18. Since all of the claims 1-26 are apparatus claims except for method claims 18-20, it is believed that the intent was to restrict the application to either Group I apparatus claims 1-17 and 21-26 or Group II method claims 18-20. The following election is based on this assumption.

Applicants hereby elect the Group I apparatus claims 1-17 and 21-26.

It is thus believed that the application is in condition to proceed with examination on the elected apparatus claims 1-17 and 21-26.

Respectfully submitted,

**PAUL SMITH ET AL.**

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